

NLRB
29-CA-25476

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 30th day of July, two thousand fifteen.

Present:

Rosemary S. Pooler,
Gerard E. Lynch,
Denny Chin,
Circuit Judges.

National Labor Relations Board,

Petitioner,

Christian Palma, et al.,

Movants,

v.

15-1058

Mezonos Maven Bakery, Inc.,

Respondent.

The National Labor Relations Board moves for default judgment on its application to enforce its supplemental order, dated March 27, 2015, against Respondent, Mezonos Maven Bakery, Inc., and its officers, agents, successors, and assigns.

Upon due consideration, it is hereby ORDERED AND ADJUDGED that the motion for default judgment is GRANTED. Respondent, Mezonos Maven Bakery, Inc., and its officers, agents, successors, and assigns shall abide by said supplemental order.

The Movants' motion to intervene in support of the Board's application is DENIED as moot.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk


Catherine O'Hagan Wolfe



NATIONAL LABOR RELATIONS BOARD

v.

MEZONOS MAVEN BAKERY, INC.

The Respondent, Mezonos Maven Bakery, Inc., Brooklyn, New York, its officers, agents, successors, and assigns, shall take the following affirmative action necessary to effectuate the policies of the Act:

(a) Within 14 days of the date of this Order, offer the discriminatees full reinstatement to their former jobs, or, if those jobs no longer exist, to substantially equivalent positions, without prejudice to their seniority or any other rights or privileges previously enjoyed, provided that they complete, within a reasonable time, USCIS Form I-9, including the presentation of the appropriate documents, in order to allow the Respondent to meet its obligations under the Immigration Reform and Control Act (IRCA).

(b) Within 14 days after service by the Region, post at its facility in Brooklyn, New York, copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 29, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. If the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since February 12, 2003.

(c) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

APPENDIX
NOTICE TO EMPLOYEES

POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES
COURT OF APPEALS ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union
Choose representatives to bargain with us on your behalf
Act together with other employees for your benefit and protection
Choose not to engage in any of these protected activities.

WE WILL, within 14 days of the date of the Board's Order, offer the discriminatees full reinstatement to their former jobs or, if those jobs no longer exist, to substantially equivalent positions, without prejudice to their seniority or any other rights or privileges previously enjoyed, provided that they complete, within a reasonable time, USCIS Form I-9, including the presentation of the appropriate documents, in order to allow us to meet our obligations under the Immigration Reform and Control Act.

MEZONOS MAVEN BAKERY, INC.